

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
(Charleston Division)**

BISHOP OF CHARLESTON,  
a Corporation Sole d/b/a The Roman  
Catholic Diocese of Charleston;

and

SOUTH CAROLINA INDEPENDENT  
COLLEGES AND UNIVERSITIES, Inc.

*Plaintiffs,*

v.

MARCIA ADAMS, in her official capacity as  
the Executive Director of the South Carolina  
Department of Administration; et al.,

*Defendants.*

Case No.: 2:21-cv-1093-BHH

**DECLARATION OF JEFF PEREZ**

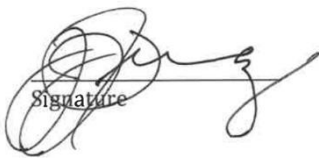
Pursuant to 28 U.S.C. § 1746, I declare that the following facts are true, to the best of my knowledge, information, and belief:

1. My name is L. Jeffrey Perez. I am an adult of sound mind. I am a resident of South Carolina.
2. In my professional capacity, I am president and CEO of SCICU, the South Carolina Independent Colleges & Universities, Inc.
3. Chartered by the State of South Carolina as a non-profit, tax-exempt corporation in 1953, the South Carolina Independent College and Universities, Inc. (SCICU) is a charitable organization that is directed by a Board of Trustees composed of leading citizens representing a cross-section of the higher education, business, and civic leadership in South Carolina.
4. SCICU represents twenty independent colleges and universities each with a unique historical, cultural, and in many instances, faith background. Included in the membership are five historically black colleges and universities and two women's colleges.
5. SCICU's twenty private, non-profit institutions of higher learning enroll over 33,000 students each year and offer a wide variety of traditional degree programs as well as accelerated and evening programs for adults.

6. SCICU is an advocacy organization for its members and their students, and is their voice in the federal and state governments, executive agencies, and courts.
7. I am personally aware that all twenty SCICU member institutions timely applied for the higher education COVID relief funds made available from the Department of Administration by Act 154.
8. Those institutions have not been permitted by the Department of Administration to continue the application process.
9. I recently requested an update from the Office of State Treasurer regarding the Act 154 funds' status.
10. According to that update, the Office of the State Treasurer is holding approximately \$80 million in Act 154 funds for the State Agencies, Local Governments, and Institutions of Higher Education grant program.
11. A true and correct copy of the update is attached as Exhibit A.
12. On March 13, 2020, I received a letter from Director Adams stating that SCICU members would not receive any of the Act 154 relief funds even though they are otherwise eligible because of the South Carolina Constitution's Blaine Amendment.
13. A true and correct copy of that letter is attached as Exhibit B.
14. SCICU's member institutions are experiencing immediate and substantial harm coping with the significant financial costs of the COVID-19 pandemic without being able to access relief funds that the General Assembly voted to make available to them.
15. SCICU's historically black colleges and universities are experiencing immediate and substantial harm coping with the financial and educational effects of COVID-19.
16. In September, 2020 SCICU members identified more than \$12 million in expenses associated with COVID-19.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: April 14, 2021

A handwritten signature in black ink, appearing to read "L. Jeffrey Perez", is written over a horizontal line. The word "Signature" is printed in small, light gray text directly beneath the signature.

L. Jeffrey Perez, Ph.D., declarant